

FILED

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RICHARD W. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their capacities No. CV08 3905 MEJ  
as Trustees of the LABORERS HEALTH AND WELFARE  
TRUST FUND, Plaintiff(s),  
et al.

**CONSENT TO ASSIGNMENT OR  
REQUEST FOR REASSIGNMENT**

vs.

ATOLL TOPUI ISLAND, INC., a California  
Corporation

Defendant(s).

**CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE**

In accordance with the provisions of 18 U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in this case, including trial, and order the entry of final judgment, and voluntarily waives the right to proceed before a United States District Judge.

Dated: \_\_\_\_\_

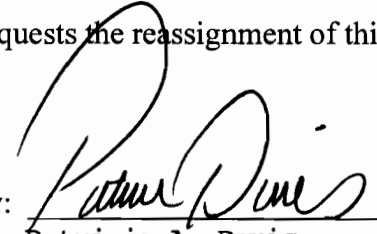
Signed by: \_\_\_\_\_

Counsel for: \_\_\_\_\_

**REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: September 2, 2008

Signed by:   
Patricia A. Davis

Counsel for: Plaintiff